

IN THE SUPREME COURT OF THE STATE OF NEVADA

PAUL RICE,
Petitioner,

vs.

WARDEN, ELY STATE PRISON, E.K.
MCDANIEL,
Respondent.

No. 48617

FILED

JAN 24 2007

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Rehak*
CHIEF DEPUTY CLERK


ORDER DENYING PETITION

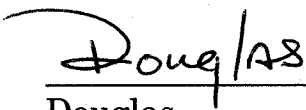
This is a proper person petition for a writ of mandamus, or alternatively, a writ of certiorari or a writ of habeas corpus. Petitioner claims that he was deprived of a direct appeal without his consent, and he seeks to be immediately released from custody. We have considered the documents before this court, and we conclude that extraordinary relief is not warranted.¹ A challenge to the validity of the judgment of conviction should be raised in a post-conviction petition for a writ of habeas corpus

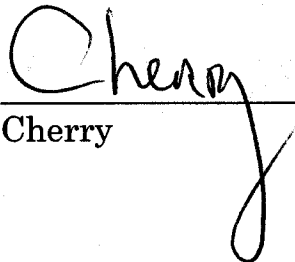
¹See NRS 34.030; NRS 34.160; NRS 34.170.

filed in the district court in the first instance.² Accordingly, we

ORDER the petition DENIED.³


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Cherry

cc: Hon. Richard Wagner, District Judge
Paul Rice
Attorney General Catherine Cortez Masto/Carson City
Humboldt County District Attorney
Humboldt County Clerk

²See NRS 34.724; NRS 34.738. We express no opinion as to whether petitioner could satisfy the procedural requirements of NRS chapter 34.

³We have received all proper person documents submitted in this matter, and we conclude that no relief is warranted.